

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

1623  
JFW

In re Patent Application of

Reid Von Borstel

Serial No. 09/494,243

Filed: January 31, 2000

For: ACYL DEOXYRIBONUCLEOSIDE DERIVATIVES AND USES THEREOF



Atty. Ref.: 1331-300

TC/A.U.: 1623

Examiner: Howard V. Owens, Jr.

\* \* \* \* \*

January 31, 2005

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**STATUS INQUIRY**

On September 16, 2004, Applicant filed a Request for Reinstatement of Application to Pending Condition, in reply to the Notice of Abandonment mailed September 10, 2004. Attached is a copy of the Request and date stamped post card receipt.

On November 13, 2003, an Amendment was filed in reply to the final Official Action mailed August 13, 2003. On February 13, 2004 a Notice of Appeal was filed, and on September 10, 2004, an Appeal Brief was filed, together with a five-month extension request and the requisite fees. (Please see the attached date stamped postcard receipts for each of these filings).

Applicant has not received any communication from the Patent Office regarding our request concerning reinstatement of the application to pending condition. Inquiry is made as to when a notice will be forthcoming.

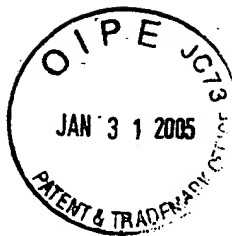
Respectfully submitted,

**NIXON & VANDERHYE P.C.**

By: \_\_\_\_\_

Leonard C. Mitchard  
Reg. No. 29,009

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C#/M#: 1331-300

Serial No.: 09/494,243

Atty: Leonard C. Mitchard

Inventor/s: Reid Von Borstel

Date: September 16, 2004

Title: ACYL DEOXYRIBONUCLEOSIDE DERIVATIVES  
AND USES THEREOF

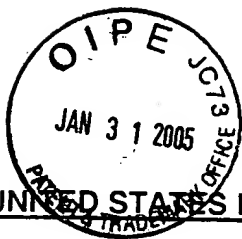
**XX Request for Reinstatement of Application  
to Pending Condition**

☐ Address Indication Form

Total Fee

Other:





IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Reid Von Borstel

Atty. Ref.: 1331-300; Confirmation No. 3188

Appl. No. 09/494,243

Group: 1623

Filed: January 31, 2000

Examiner: Howard V. Owens, Jr.

For: ACYL DEOXYRIBONUCLEOSIDE DERIVATIVES AND USES THEREOF

\* \* \* \* \*

September 16, 2004

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**REQUEST FOR REINSTATEMENT OF APPLICATION TO PENDING CONDITION**

In the Notice of Abandonment mailed September 10, 2004, the reason for abandonment is stated to be that: "A notice of appeal was filed on 2/13/04; however to date no appeal brief has been filed and the term for extending from the date of the final rejection on 8/13/2004 has passed." This reason is incorrect.

The total term for extension is five months from April 13, 2004, i.e., to September 13, 2004. An appeal brief was filed on September 10, 2004, together with a five month extension request and appeal brief fee.

Reinstatement of the present case to pending condition is respectfully requested.

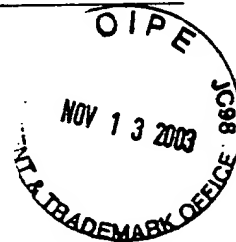
Respectfully submitted,

**NIXON & VANDERHYTE P.C.**

By: \_\_\_\_\_

**COPY**  
Leonard C. Mitchard  
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Serial No.: 09/494,243      C#/M#: 1331-300  
Inventor/s: Reid Von Borstel      Atty: Leonard C. Mitchard  
Title: ACYL DEOXYRIBONUCLEOSIDE DERIVATIVES  
AND USES THEREOF      Date: February 13, 2004

**XX**

**Notice of Appeal**



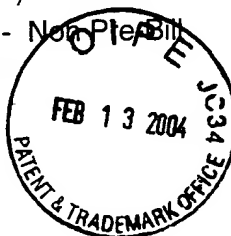
**Address Indication Form**

\$      Fee (Check) - **Pre-Bill**

**\$1,280.00** Fee (Check) - **Not Pre-Bill**

**\$1280.00 Total Fee Enclosed**

Other:      **Petition to Extend**





Serial No.: 09/494,243  
Inventor/s: Reid Von Borstel  
Title: ACYL DEOXYRIBONUCLEOSIDE DERIVATIVES  
AND USES THEREOF

C#/M#: 1331-300

Atty: Leonard C. Mitchard

Date: September 10, 2004

**XX** **Appeal Brief (in triplicate)**  
☒ **Address Indication Form**

**\$2,340.00**

**Total Fee**

Other: **Petition to Extend**

